



## Greece

### Country Reports on Human Rights Practices - [2002](#)

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Greece is a constitutional republic and multiparty parliamentary democracy in which citizens choose their representatives in free and fair elections. The Panhellenic Socialist Movement (PASOK) won the majority of parliamentary seats for a second consecutive term in parliamentary elections held in April 2000. Its leader, Constantine Simitis, has been Prime Minister since 1996. The New Democracy Party was the main opposition party. The judiciary is independent.

The national police and security services are responsible for internal security. Civilian authorities generally maintained effective control of all security forces. The police and security services are subject to a broad variety of restraints; however, some members of the police and security forces committed human rights abuses.

The country had a market economy with a large public sector that accounted for some 40 percent of the estimated gross domestic product (GDP) of \$125 billion for the year. With a population of 10.9 million, residents enjoyed a high standard of living. Net flows from the European Union (EU), mainly from structural adjustment funds and subsidies, accounted for 3.3 percent of the country's GDP.

The Government generally respected the human rights of its citizens; however, there were problems in some areas. Security forces personnel sometimes abused persons, particularly illegal immigrants and Roma. There was one report of police torture of an illegal immigrant. Overcrowding and harsh conditions continued in some prisons. Police sweeps resulted in the detention of undocumented immigrants under often squalid conditions. There were legal limits on the freedom of association of ethnic minorities. Some leaders of minority religions noted a general improvement in government tolerance, but others reported difficulty with the authorities. Laws restrictive of freedom of speech remained in force, and some legal restrictions and administrative obstacles on freedom of religion persisted. Violence and discrimination against women were problems. Discrimination against ethnic minorities and Roma remained a problem. There were reports that foreign children were forced into begging. Trafficking in women and children into the country for the purpose of prostitution was a problem. Greece was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

## RESPECT FOR HUMAN RIGHTS

### Section 1. Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary and Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

In October a government inquiry and an internal police council found a police officer guilty of the shooting death of Rom Marinos Christopoulos in October 2001. They recommended that the police officer be dismissed from the police force; however, he had not been dismissed by year's end.

There were no deaths resulting from terrorist activity during the year. The terrorist group November 17 claimed responsibility for 23 killings since 1975. By year's end, police had arrested 19 suspected members of the group.

#### b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices, and the law makes the use of torture punishable by a sentence of 3 years' to life imprisonment; however, security force personnel occasionally abused persons, particularly illegal immigrants and Roma (see Section 5). A Report on Greece issued in May 2001 by the U.N. Committee Against Torture expressed concern about the excessive or unjustifiable use of force by police against ethnic and national minorities and foreigners. In January a policeman allegedly kicked a pregnant woman during a raid on the Apropyrgos Roma camp; she later miscarried. No disciplinary action was taken.

Yannis Papacostas alleged that he was beaten and tortured on August 18 in a police station near Athens after being arrested for a driving offense. Greek Helsinki Monitor and the World Organization Against Torture alleged, that on June 25, police tortured Nigerian national Joseph Okeke after he resisted deportation. The Ministry of Public Order announced investigations into both incidents which were not concluded at year's end.

By year's end, no one had been charged in the reported June 2001 abuse by Port Authority personnel of 164 migrants who came ashore in Hania, Crete.

After an internal inquiry into the police beating of a man in Rhodes in July 2001, no one was arrested or charged.

Roma experienced police abuse more frequently than some other groups. Amnesty International called on the authorities to conduct an impartial investigation into allegations made by Andreas Kalamiotis, a 21-year-old Rom, who claimed that he was beaten and mistreated by police in July 2001 while in custody for disturbing neighbors in Aghia Paraskevi with loud music. The Ombudsman wrote to the police in 2001 and this year to request an administrative inquiry; however, no action had been taken at year's end. By year's end, no one had been charged in the police beating of a Rom during a traffic stop in Nafplio in September 2001.

Immigrants--mostly Albanian citizens--accused police of physical, verbal, and other mistreatment (including the confiscation and destruction of their documents), particularly during police sweeps to apprehend illegal immigrants (see Section 2.d.). The severity of this problem did not diminish during the year despite legislation that extended a program to allow immigrants to regularize their status.

The European Committee for the Prevention of Torture (CPT) carried out one of its periodic visits during September 2001. The committee reviewed developments concerning the treatment and detention conditions of persons held under laws concerning aliens. The CPT found that ill-treatment of detainees by law-enforcement officials was a serious problem. The ill-treatment included kicks, blows with hands, fists, batons or other objects, excessive force at the time of arrest and ill-treatment of prisoners during transfers. The CPT also found that detention conditions by law enforcement agencies varied from "acceptable" to "unacceptable." The Committee found that the principal obstacle to providing decent conditions in prisons was severe overcrowding.

In August 2000, two foreigners accused police in Crete of mistreatment while under detention. There was no investigation into or action taken in this case by year's end.

During the year, the Bureau of Internal Affairs of the Ministry of Public Order took several disciplinary measures, including dismissal and suspension, against officers involved in corruption, mainly for the forging of documents and the taking of bribes for illegal construction. During the period of October 1999 to August 2002, 1,609 complaints were filed. Most cases involved violation of duty, false certificates, abuse of power, corruption, violations with arms and explosives, illegal release of persons in police custody, pimping, and various violations relating to alien registration. Lawsuits were filed in 364 cases against 222 policemen and 202 civilians by year's end.

Local police corruption facilitated trafficking in persons (see Section 6.f.).

Numerous anarchist and extremist groups attacked a wide spectrum of targets, mostly commercial property, during the year. There were occasional firebomb attacks on vehicles and commercial offices during the year.

Conditions in some prisons remained harsh due to substantial overcrowding and outdated facilities. As of September, the Ministry of Justice reported that the total prison population was 8,328 inmates, while the total capacity of the prison system was 5,284. In general juveniles were held separately from adults, and women were held separately from men. Pre-trial detainees were held together with convicted prisoners awaiting trials in

Korydallos Prison.

The CPT found that conditions were acceptable in the Amygdaleza detention center for illegal alien women. The CPT found that the Drapetsona detention center conditions were unhygienic. The Ministry of Justice continued its program to improve prison conditions and expand capacity. Construction continued on four new prisons. During the June visit of the Commissioner for Human Rights for the Council of Europe, the Justice minister said that plans for 17 new prisons were underway but that local opposition was delaying their construction.

The Government permitted prison visits by independent human rights observers, and several took place during the year; however, it did not consistently allow visits to police detention centers.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, throughout the year, the police conducted large-scale sweeps and temporarily detained, often under squalid conditions, large numbers of foreigners while determining their residence status (see Section 2.d.). Some of these detentions occurred indefinitely with no judicial review.

The Constitution requires judicial warrants for all arrests, except during the commission of a crime, and the law prohibits arbitrary arrest orders; the authorities generally respected these provisions in practice. By law the police must bring persons who are detained or arrested before an examining magistrate within 24 hours. The magistrate must issue a detention warrant or order the release of the detainee within three days, unless special circumstances warrant a 2-day extension of this time limit.

Defendants brought to court before the end of the day following the commission of a charged misdemeanor offense may be tried immediately, under an "expedited procedure." Although legal safeguards, including representation by counsel, apply in expedited procedure cases, the short period of time may inhibit defendants' ability to present an adequate defense. Defendants may ask for a delay to provide time to prepare their defense, but the court is not obliged to grant it. The expedited procedure was used in less than 10 percent of applicable cases.

The effective legal maximum duration of pretrial detention was 18 months for felonies and 9 months for misdemeanors in practice. Defense lawyers assert that pretrial detention was exceedingly long and overused by judges. A panel of judges may grant release pending trial, with or without bail. Pretrial detainees made up 31 percent of those incarcerated, contributing to overcrowding, according to government sources. A person convicted of a misdemeanor and sentenced to 2 years' imprisonment or less may, at the court's discretion, pay a fine instead of being imprisoned.

The Government paid \$13,000 (5 million drachmae), as ordered by the European Court of Human Rights (ECHR) in 2001, to Mohamed Dougoz, who was held in the Drapetsona detention center and Police Headquarters for several years under inhuman conditions.

The Constitution prohibits forced exile, and the Government did not employ it.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

The judicial system includes three levels of civil courts, (first instance, appeals, and supreme) and three levels of criminal courts (first instance--divided into misdemeanor and felony divisions, appeals, and supreme), appointed judges, and an examining magistrate system, with trials by judicial panels.

The Constitution provides for public trials, unless the court decides that privacy is required to protect victims and witnesses or the cases involve national security matters. Defendants enjoy a presumption of innocence, the standard of proof beyond a reasonable doubt, the right to present evidence and call witnesses, and the rights of access to the prosecution's evidence, to cross-examine witnesses, and to counsel. Lawyers are provided to defendants who are not able to afford legal counsel only in felony cases. Both the prosecution and the defense may appeal.

Defendants who do not speak Greek have the right to a court-appointed interpreter. According to several immigrant associations in Athens, the low fees paid for such work often resulted in poor interpretation. Foreign defendants who depended on these interpreters frequently complained that they did not understand the proceedings of their trials. Also defendants often were not advised of their rights during arrest in a language that they can understand. Several complained that they were not shown the Hellenic Police Informational Bulletin, which contains prisoners' rights in a variety of languages, and that they were forced to sign blank documents later used for their deportation.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits invasion of privacy and searches without warrants, and the law permits the monitoring of personal communications only under strict judicial controls; however, these provisions were not always respected in practice.

The Government paid \$13,000 (12,041 euros), as ordered by the ECHR in 2001, to Donald Peers, whose mail was opened by officials at the Korydallos prison where he was held for drug offenses.

The European Roma Rights Center (ERRC) reported that police conducted regular raids and searches of Romani neighborhoods for alleged criminal suspects, drugs, and weapons (see Section 5).

Local authorities evicted or threatened to evict Roma from camps and tent dwellings during the year (see Section 5).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice; however, legal restrictions on free speech remained in force. Articles of the Penal Code that can be used to restrict free speech and the press include Article 141, which forbids exposing to danger of disturbance the friendly relations of the Greek state with foreign states; Article 191, which prohibits spreading false information and rumors liable to create concern and fear among citizens and cause disturbances in the country's international relations; or inciting citizens to rivalry and division leading to disturbance of the peace; and Article 192, which prohibits inciting citizens to acts of violence or to disturbing the peace through disharmony among them. Those convicted in the past of violations of these articles were allowed to convert their prison sentences, up to 3 years, into a fine of approximately \$13.50 (12.50 euros) per day.

In most criminal defamation cases, the defendant typically was released on bail pending appeal, and no jail time was ever served.

The Constitution allows for seizure by order of the public prosecutor of publications that insult the President, offend religious beliefs, contain obscene articles, advocate violent overthrow of the political system, or disclose military and defense information. However, seizures were very rare, and there were none during the year.

There were numerous independent newspapers and magazines. Satirical and opposition newspapers routinely criticized the highest state authorities. Members of ethnic, religious, and linguistic minorities freely published periodicals and other publications, often in their native language.

The Constitution provides that the state exercise "immediate control" over radio and television, and the law establishes ownership and technical frequency limits on electronic media; the Government and media outlets have disputed application procedures and frequency allocations. The law also legalizes stations operating with pending applications. The National Radio and Television Council has an advisory role in radio and television licensing, whereas the Ministry of Press and Mass Media has final authority.

In May 2001 and in March, 35 private radio stations were granted operating licenses. The cases of 15 more radio stations had not been heard by year's end. Television stations continued to operate with pending applications; there were more applicants than available frequency. In the past, the Government occasionally closed stations for violating intellectual property rights or interfering with civil aviation, military, and law enforcement transmissions, although there were no reports of such closings during the year. State-run stations tended to emphasize the

Government's views but also reported objectively on other parties' programs and positions. Private radio and television stations operated independently of any government control over their reporting. Turkish-language television programs were widely available via satellite in Thrace.

Internet access was available and unrestricted.

The Government did not restrict academic freedom.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally respected these rights in practice; however, the courts continued to place legal restrictions on the names of associations involving ethnic minorities (see Section 5).

Police permits were issued routinely for public demonstrations, and there were no reports that the permit requirement was abused. Peaceful demonstrations against government policies occurred regularly in Athens and other large cities, and the protesters included students, workers, political parties, pensioners, and foreigners.

#### c. Freedom of Religion

The Constitution provides for freedom of religion, and although the Government generally respected this right, at times non-Orthodox groups faced administrative obstacles or legal restrictions on religious practice. The Constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the "prevailing" religion. The Orthodox Church continued to exercise significant political and economic influence. The Government, under the direction of the Ministry of Education and Religion, provided some financial support to the Orthodox Church, for example, by paying for the salaries and religious training of clergy and financing the construction and maintenance of Orthodox Church buildings.

The Government, by virtue of the Orthodox Church's status as the prevailing religion, recognizes de facto its canon law. Leaders of some non-Orthodox religious groups claimed that all taxes on religious organizations were discriminatory, even those that the Orthodox Church has to pay, because the Government subsidizes the Orthodox Church, while other groups are self-supporting. The Government also pays the salaries of the two official Muslim religious leaders ("muftis," Islamic judges and religious leaders with limited civic responsibilities) in Thrace and provides them with official vehicles.

Several religious denominations reported difficulties in dealing with the authorities on a variety of administrative matters. Privileges and legal prerogatives granted to the Greek Orthodox Church were not extended routinely to other recognized religions.

Although Jehovah's Witnesses was recognized as a "known" religion, members continued to face some harassment in the form of arbitrary identity checks, difficulties in burying their dead, and local officials' resistance to their construction of churches (which in most cases was resolved quickly and favorably).

Several religious denominations, including foreign Protestants and Mormons, reported difficulty in renewing the visas of their non-EU citizen ministers because the Government did not have a distinct religious workers' visa category. As part of the country's obligations under the Schengen Treaty and the Treaty of Amsterdam, all non-EU citizens face a more restrictive visa and residence regime than they did in the past.

Differences remained within the Muslim community and between segments of the community and the Government over the means of selection of muftis. In 1991 in accordance with the law, the Government, upon receiving recommendations from a government-selected committee of Muslims selected by the Government, appointed two muftis and one assistant mufti, all resident in Thrace, to 10-year terms. Most Muslims accepted the authority of the two officially appointed muftis; other Muslims, with support from Turkey, have "elected" two different muftis to serve their communities, although there is no established procedure or practice for election. The Government prosecuted the "elected" muftis for usurping authority, and the courts repeatedly convicted one of the elected muftis for usurping the authority of the official mufti; all of his respective sentences remained suspended pending appeal at year's end. On October 17, the ECHR ruled the Greek Government had violated one of the "elected" mufti's rights under Article 9 of the Convention for the Protection of Human Rights and Fundamental Freedoms by infringing on his right to worship freely.

Non-Orthodox citizens have claimed that they face career limits in the military, police, fire-fighting forces, and the

civil service due to their religions.

The rate of employment of Muslims in the public sector and in state-owned industries and corporations continued to be much lower than the Muslim percentage of the population. The Government claimed and Muslims and Christians agreed that a lack of fluency in written and spoken Greek and the need for university degrees for high-level positions limited the number of Muslims eligible for government jobs.

Two laws from the late 1930s require recognized or "known" religious groups to obtain house of prayer permits from the Ministry of Education and Religion to open houses of worship. By law the Ministry may base its decision to issue permits on the opinion of the local Orthodox bishop. According to ministry officials, once a "known" religion received a house of prayer permit, applications for additional houses of prayer were numerous and were approved routinely. An appeal by the Church of Scientology to obtain recognition and a house of prayer permit was pending at year's end. The non-Greek Orthodox churches must provide separate and lengthy applications to government authorities on such matters as gaining permission to move places of worship to larger facilities.

The Constitution prohibits proselytizing and stipulates that no rite of worship may disturb public order or offend moral principles. Members of missionary faiths reported that they were subject to harassment and police detention due to constitutional and legal prohibitions on proselytizing.

Religious instruction in Orthodoxy in public primary and secondary schools is mandatory for all Greek Orthodox students. Non-Orthodox students were exempt from religious instruction. Some government-approved religious textbooks made derogatory statements about non-Orthodox faiths. During the year, government officials announced and then retracted a decision to allow any student to opt out of religious instruction. Members of the Muslim community in Athens sought Islamic religious instruction for their children, but neighborhood schools offered no alternative supervision for the children during the period of religious instruction. The community complained that this forced the parents to have their children attend Orthodox religious instruction by default. In November the Council of State issued a decision forcing the Ministry of Education to lift restrictions on appointment of non-Orthodox teachers at single-class elementary schools. The Council ruled that the Ministry of Education does not have the right to request its personnel to reveal their religious beliefs.

Members of minority faiths reported incidents of societal discrimination. Officials of the Orthodox Church acknowledged that they refused to enter into dialog with religious groups considered harmful to Greek Orthodox worshipers; church leaders instructed Orthodox Greeks to shun members of these faiths.

A November report by Greek Helsinki Monitor alleged that anti-Semitism was widespread in Greece, but was "systematically denied or ignored" by most of Greek society.

For a more detailed discussion see the 2002 International Religious Freedom Report.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

A section of the Citizenship Code, Article 20, permits the Government to strip citizenship from those who "commit acts contrary to the interests of Greece for the benefit of a foreign state." While the law as written applies equally to all citizens regardless of ethnic background, it has been enforced, in all but one case, only against citizens who identified themselves as members of the "Macedonian" minority. The Government has not revealed the number of Article 20 cases that it pursued. There were no reports of such cases during the year. Dual citizens who were stripped of Greek citizenship under Article 20 sometimes were prevented from entering the country using the passport of their second nationality.

According to government officials, between 1955 and 1998 approximately 60,000 citizens lost their citizenship, and approximately 143 individuals, mainly Muslims in Thrace, who lost their citizenship under Article 19 of the Citizenship Code--which permitted the Government to revoke the citizenship of citizens of non-Greek ethnic origin who traveled outside the country--continued to reside in the country. Following the 1998 repeal of Article 19, the authorities issued 143 persons who lost their citizenship identification documents characterizing them as stateless but permitted them to apply to reacquire citizenship. Of 106 applications, 54 had been granted and 31 were pending as of October.

On April 17, the Government passed legislation extending temporary residence permits for immigrants who could

prove they had resided in Greece before June 2000. Legislative amendments, the decentralized registration process, and improved services for applicants such as a help line run by the Ministry of Interior, made the process more successful than the Government's first effort in 1998. Over 350,000 illegal migrants applied during this second legalization process. However, by year's end, the Government extended all of the residence permits through June 2003 since most migrants were unable to complete the application process, which many migrants have complained were needlessly difficult.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. A 1999 presidential decree significantly expanded the rights of asylum-seekers and brought the law into compliance with the standards of the U.N. High Commissioner for Refugees (UNHCR) on asylum procedures; however, in practice this legislation remained largely unenforced. The Government cooperated with the office of the UNHCR and other humanitarian organizations in assisting refugees.

Individuals recognized as refugees under the terms of the U.N. convention are eligible for residence and work permits necessary to settle permanently. During the first 9 months of the year, 4,135 individuals submitted applications for refugee status; 26 individuals were recognized as refugees. Another 38 were granted temporary residence on humanitarian grounds until return to their countries becomes possible. The recognition rate was 1 percent during the year.

According to the Greek Council for Refugees, the Government routinely approved applications from people who arrived from "safe" countries. However, the UNHCR expressed concern that very few applicants were granted asylum without UNHCR involvement. The UNHCR also expressed concern that no publicly funded legal aid system for free counseling for asylum-seekers and refugees existed.

In June a group of domestic and international nongovernmental organizations (NGOs) published an appeal expressing concern about frequent violations of the rights of individuals who enter the country illegally, such as an absence of translators and failure of local authorities to inform individuals of their right to apply for asylum.

Anecdotal evidence has suggested that thousands of individuals from Iraq, Afghanistan, Turkey, and Iran enter the country illegally each year; only a small percentage eventually apply for official asylum or refugee status. In December at least 24 illegal immigrants, mostly Iraqi Kurds, drowned in 4 shipwrecks. In July more than 100 illegal immigrants tried to escape from a detention center in northern Greece but were recaptured. Policemen in Alexandroupoli condemned the overcrowded state of detention centers in their prefecture. In Crete 203 illegal immigrants held a hunger strike to demand asylum; they were eventually transferred to police detention centers throughout Attica. Some of those who did not apply for refugee or asylum status remained illegally, often living in camps or in NGO shelters where conditions ranged from adequate to very poor. Others proceeded to Western Europe, often applying for asylum there. Many individuals waiting to board boats to Italy remained at the port of Patras in squalid conditions at year's end. In June 2001, Port Authority personnel reportedly abused 164 migrants who came ashore in Hania, Crete (see Section 1.c.). The Greek Coast Guard reported 6,864 illegal immigrants were arrested in 2001 in 370 incidents, an 87 percent increase over the previous year.

The Government generally did not seek out such individuals for deportation. The 2001 bilateral readmission agreement Greece signed with Turkey did not result in many deportations by September due to implementation difficulties. In August a Medecins du Monde delegation visited refugee/immigrant detention centers in Thrace and reported that conditions in most of the centers were "degrading."

Deportations of both illegal and legal immigrants, abusive treatment by police, and inconsistencies and inequities in the way employers provided wages and benefits to domestic and foreign workers were common. The police conducted many large-scale sweeps of neighborhoods populated by immigrants, temporarily detaining large numbers of individuals while determining their residence status. A report by Human Rights Watch in December 2000 cited severe overcrowding and a lack of sufficient exercise, sleeping accommodations, adequate food, or medical care. The government-funded center for asylum-seekers in Lavrion was old and in need of repair.

There were no reports of the forced return of persons to a country where they feared persecution.

Official statistics indicated that approximately 500,000 of the estimated 800,000 aliens living in the country held temporary residence permits under a legalization program launched in 2001 and extended during the year. Approximately 250,000 other aliens held "green cards" from previous legalization programs that allowed residence for limited periods of time. According to press reports and immigration groups, the obstacles of a complex bureaucracy and the unwillingness of employers to pay social security contributions were the primary reasons for

the limited ability of white cardholders to advance to the green card application process. Of the 750,000 aliens who had received green cards under the previous legalization opportunities, only 220,000 managed to collect all documents required and to meet all criteria for legalization by December. Legislation provides for the green card program to remain in effect until June 2003. Press reports estimated that it would take 3 years to process the applications already submitted.

### Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Greece is a multiparty democracy headed by Prime Minister Constantine Simitis of the PASOK, who was elected in free and fair elections in September 1996 and again in April 2000. Parliament elects the President for a 5-year term. Members of the unicameral 300-seat Parliament are elected to maximum 4-year terms by secret ballot. Opposition parties function freely and have broad access to the media. Voting is mandatory for those over age 18; however, there are many conditions under which citizens may be exempted from voting, and penalties were not applied in practice.

Romani representatives reported that local authorities sometimes deprived Roma of the right to vote by refusing to register them; however, Romani representatives also reported that some municipalities encouraged Roma to register. Municipalities may refuse to register Roma who do not fulfill basic residency requirements, which many Roma have trouble meeting.

There are no legal restrictions against the participation of women in politics. There were 25 women in Parliament. There were 2 women among the 20 ministers in the Government. Women also held 2 of the 29 sub-ministerial positions. A quota system was implemented for elections to local government, requiring 30 percent of all candidates to be women.

While citizens exercised their political rights, there occasionally were charges that the state limited the right of some individuals, particularly Muslims and Slavo-Macedonians, to speak publicly and associate freely on the basis of their self-proclaimed ethnic identity. In the 2000 parliamentary elections, a Muslim was elected in Thrace, from PASOK. A second Muslim, also from PASOK, became an M.P. in September 2000 after winning a court challenge to the eligibility of a seated M.P. for violating a constitutional provision. There were two Muslims in Parliament this year.

Responsibility for the oversight of all rights provided to the Muslim minority under the Treaty of Lausanne (including education, zoning, administration of wakfs, and trade) belongs to a government-appointed regional administrative official, the regional governor of Eastern Macedonia and Thrace. Some minority members charged that oversight by this office rather than by elected local governors reduced their ability to use the democratic process to influence decisions that affect them. The Government stated that it made the change because the central authorities could administer the country's treaty obligations more effectively. Elected nomarchs govern at the provincial level. These officials worked in close cooperation with both elected mayors and local leaders (Christian and Muslim). Members of the Muslim community noted that this decentralization has been a positive factor in local and regional development.

### Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without restriction in the country, investigating and publishing their findings on human rights cases. The Government permitted domestic human rights organizations to operate, but cooperation with them varied. The Government usually cooperated with international human rights groups, had good working relations with them, and when feasible, took their views into account.

In 2001 the government ombudsman's office received 1,731 complaints in the first 8 months of the year directly related to human rights. The office has proved to be an effective means for resolving human rights and religious freedom concerns.

### Section 5. Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for equality before the law irrespective of nationality, race, language, or political belief; however, government respect for these rights was inconsistent in practice.



## Women

Violence against women was a problem. The law does not specifically prohibit domestic violence. The General Secretariat for the Equality of the Sexes provided counseling and assistance to domestic violence victims. The incidence of violence against women reported to the authorities was low; however, the General Secretariat for Equality of the Sexes (GSES), an independent government agency that operated the only shelter for battered women in Athens, believed that the actual incidence is "high." According to press and academic estimates, there were approximately 4,500 cases of rape in 1999. Reportedly only 6 to 10 percent of the victims contacted the police, and only a small fraction of the cases reached trial. Conviction rates on rape charges were low for those accused for the first time, but sentences are harsh for repeat offenders. Spousal rape is not a crime.

The GSES claimed that police tended to discourage women from pursuing domestic violence charges and instead encouraged them to undertake reconciliation efforts. The GSES also claimed that the courts are lenient when dealing with domestic violence cases. GSES, in cooperation with the Ministry of Public Order, continued training courses for police personnel on how to treat domestic violence victims.

Facilities for battered women and their children often were staffed inadequately to handle cases properly, but many facilities hired new personnel during the year. Two government shelters provided services in Athens and Piraeus, including legal and psychological advice. The Secretariat operated a 24-hour emergency telephone hotline for abused women; during the summer, it conducted a campaign to publicize this service and to raise awareness of domestic violence. An interministerial committee composed of the GSES, the Ministry of Public Order, the Ministry of Health and Welfare, and the Ministry of Justice, serves as an information-sharing forum on women's issues.

Prostitution is legal at the age of 18. Prostitutes must register at the local prefecture and carry a medical card that is updated every two weeks. While the number of Greek women in the profession declined, according to the police and academic sources, trafficking in women for prostitution increased sharply (see Section 6.f.). It was estimated that fewer than 1,000 prostitutes were ethnic Greeks, and approximately 20,000 were of foreign origin--most in the country illegally. Most prostitutes who were arrested were foreigners who were apprehended for noncompliance with legal requirements. They were deported by plane to avoid re trafficking at land borders. Media reports implicated several police officers as participants in prostitution rings. The press alleged on a number of occasions that police accepted bribes from traffickers or pimps or forced illegal immigrants to have sex with them and then channeled them into prostitution rings (see Section 6.f.). In October the Government passed a law introducing stiffer penalties for police who facilitate trafficking (see Section 6.f.).

The law prohibits sexual harassment. Trade unions reported that lawsuits for sexual harassment were very rare: According to the unions, only four women filed such charges in the past three years. In all four cases, the courts reportedly imposed very lenient civil sentences. The General Confederation of Greek Workers (GSEE) women's section reported that sexual harassment was a widespread phenomenon but that women were discouraged from filing charges against perpetrators by family members and coworkers, since they believed they might be socially stigmatized.

The law provides for equal pay for equal work; however, according to official statistics in 2001, women's pay amounted to 76.2 percent of men's pay.

Although relatively few women occupied senior positions, women continued to enter traditionally male-dominated occupations such as the legal and medical professions in larger numbers. However, women still faced discrimination when they were considered for promotions in both the public and private sectors. Women also were underrepresented in labor unions' leadership. According to the women's section of the GSEE, 59 percent of the country's long-term unemployed were women, while women constituted only 38 percent of the work force. The GSES operated two regional employment offices for women in Thessaloniki and Patras. It also continued to provide vocational training programs for unemployed women and programs to reinforce entrepreneurship, subsidies to women for setting up an enterprise, information and counseling to unemployed women, and childcare facilities to assist unemployed women to attend training courses and look for a job.

## Children

The Government was committed strongly to children's rights and welfare; it amply funded a system of public education and health care. Education is free and compulsory through the ninth grade, but the legislation does not provide for enforcement or penalties. University education is public and free at all levels. New universities have opened in the provinces, along with new departments in already existing universities.

In 2001 the Ministry of Education reported that the illiteracy rate was dropping among Roma children: The school enrollment rate of Romani children increased by 17 percent, and the dropout rate decreased to 75 percent as a consequence of an identity card system, set up by the Ministry, which allowed students to change schools more easily as their parents moved. The Greek Helsinki Monitor and Panhellenic Federation of Greek Roma (POSER), the organization that represents the views of the Romani community, challenged this statistic. The idea of setting up satellite elementary schools near Romani camps was set aside in favor of the policy of integration (except for preschool centers). Ethnic Greek parents in some schools have resisted the acceptance of many Romani children.

Several government organizations had responsibility for children's issues. The National Organization for Social Care had a nationwide and regional network of offices and was active in the field of child protection; the regional offices provided greater access to child welfare services and funding, prioritized according to regional needs.

There was no societal pattern of abuse of children; however, research by the Institute for Child Health (ICH) revealed a high percentage of socially accepted physical punishment (i.e., spanking) by parents. No national data existed on the incidence of child abuse; authorities other than police are not required to report such cases. Societal abuse of children in the form of pornography was rare. Some NGOs reported child prostitution in some parts of central Athens.

There were reports that foreign children were forced into panhandling (see Section 6.c.).

Penal law prohibits the mistreatment of children and sets penalties for violators, while welfare legislation provides for preventive and treatment programs for abused children and for children deprived of a family environment; it also seeks to ensure the availability of alternative family care or institutional placement. There was a gradual decline in the number of ethnic Greek children in public care; however, children of ethnic minority groups (i.e., Albanians) who worked in Greece entered public care because of abuse or abandonment.

Children's rights advocacy groups claimed that the protection of high-risk children in state residential care centers was inadequate and of low quality. They cited lack of coordination between welfare services and the courts, inadequate funding of the welfare system, and poor staffing of residential care centers as systemic weaknesses in the treatment of child abuse. Athens had two municipal shelters for battered children. Child health specialists noted that the number of children in residential care facilities was decreasing, while the number in foster care was rising. With EU funding, special care was available for juvenile offenders, Romani children, children from remote mountain and island areas, and children with disabilities.

#### Persons with Disabilities

Legislation mandates the hiring of persons with disabilities in public and private enterprises that employ more than 50 persons; however, the law reportedly was enforced poorly, particularly in the private sector. The law states that persons with disabilities should account for three percent of employees in private enterprises. In the civil service, 5 percent of administrative staff and 80 percent of telephone operator positions are reserved for persons with disabilities. Recent legislation mandates the hiring of persons with disabilities in the public sector from a priority list. They are exempt from the civil service exam, and some have been appointed to important positions in the civil service. There was no societal discrimination against persons with disabilities.

The Construction Code mandates physical access for persons with disabilities to private and public buildings, but this law, also, was enforced poorly. Many public buildings complied with the proposals of the interministerial committee on accessibility by year's end. Ramps and special curbs for persons with disabilities were constructed on some Athens streets and at some public buildings, and sound signals have been installed at some city street crossings. In 2001 the Ministry of Public Works installed special sound equipment for 200 traffic lights in Attika that were selected by the Association for the Blind. The Government continued to replace old city buses with new accessible buses. Athens subway lines provided full accessibility.

#### National/Racial/Ethnic Minorities

An increase in xenophobia has paralleled an increase in the number of non-Greeks living and working in the country.

Anti-foreigner sentiment was directed mainly at Albanians, who made up approximately 5 percent of the population. Of the approximately 800,000 aliens in the country, approximately 500,000 were Albanians, 90 percent of whom were legalized. The Government extended a second legalization process during the year, allowing undocumented immigrants who had lived in the country for more than a year to apply for residence and work

permits. While this legalization has decreased official cases of discrimination, Albanian immigrants faced widespread societal discrimination. For example, the population regularly blamed Albanians for the reported rise in crime in the last few years. The sometimes difficult relationship with Albania intensified the problem. Debate also arose over Albanian immigrants' rights to Greek national identity. For example, a controversy occurred in some areas in 2001 and during the year over whether Albanian pupils would be allowed to carry the Greek flag in national day parades; eventually they were allowed to do so.

Significant numbers of Greek citizens identify themselves as Turks, Pomaks, Vlachs, Roma, Arvanites (Orthodox Christians who speak a dialect of Albanian), or "Macedonians" or "Slavomacedonians." Most are integrated fully into society. The Government formally recognizes only the "Muslim minority" specified in the 1923 Treaty of Lausanne (see Section 2.c.), although it stated publicly in 1999 that members of that minority could identify themselves individually as belonging to different ethnic groups. Most of the Muslim minority (officially estimated to number 130,000) are ethnically Turkish or Turcophone and live in Thrace. The Muslim minority also includes Pomaks and Roma. Many Greek Muslims, including Pomaks, identified themselves as Turks and say that the Muslim minority as a whole has a Turkish cultural consciousness.

The Government has failed to acknowledge formally the existence of non-Muslim ethnic groups, principally Slavophones, under the term "minority." The Government has affirmed an individual, but not a collective, right of self-identification. As a result, some individuals who defined themselves as members of a minority found it difficult to express their identity freely and to maintain their culture. Use of the terms "Tourkos" and "Tourkikos" ("Turk" and "Turkish") is prohibited in titles of organizations, although individuals legally may call themselves "Tourkos." To most Greeks, the words "Tourkos" and "Tourkikos" connote Turkish identity or loyalties, and many objected to their use by Greek citizens of Turkish origin. By year's end, an appeals court had not ruled on the closure of the "Turkish Union of Xanthi."

Northwestern Greece is home to an indeterminate number of citizens who speak a Slavic dialect at home, particularly in Florina province. Estimates ranged widely, from under 10,000 to 50,000. A small number identified themselves as belonging to a distinct ethnic group and asserted their right to "Macedonian" minority status. Their assertions have generated strong objections among the 2.2 million non-Slavophone Greek inhabitants of the northern Greek region of Macedonia, who use the same term to identify themselves. The Government does not recognize their Slavic language as "Macedonian," a language distinct from Bulgarian. Members of the minority asserted that the Government pursues a policy designed to discourage use of their language. The Government was concerned that members of the "Macedonian" minority may have separatist aspirations. The Government's dispute with the Former Yugoslav Republic of Macedonia over that country's name heightened this sensitivity.

Roma continued to face discrimination from some local authorities and society at large. An interministerial committee headed by the Ministry of Interior was responsible for coordinating government projects for Roma; it estimated the total Romani population to be between 85,000 and 120,000. Nonofficial sources estimated the total at 250,000 to 300,000. Most of the Roma in Thrace were Muslims; elsewhere the majority were Greek Orthodox. Many Roma were settled permanently, mainly in the Athens area. Others were either mobile, working mainly as agricultural laborers, peddlers, and musicians throughout the country, or they lived in camps. The number of Roma who moved around the country continued to decrease gradually as families settled mainly into quasi-permanent settlements around major cities.

The ERRC claimed that Roma were subject to systematic police abuse (see Section 1.c.), mistreatment while in police custody, and regular raids and searches of Roma neighborhoods for criminal suspects, drugs, and weapons.

Since 1999 the Ministry of Interior has erected approximately 1,000 prefabricated houses for Roma. In September 2001, the Minister of Interior also announced a \$284 million (284 million euros) program to address Roma needs and to promote Roma integration, including: Housing, subsidized mortgage loans, infrastructure in Roma camps, employment schemes, cultural and sports activities, and welfare allowances.

Roma frequently faced discrimination in employment and in housing, particularly when attempting to rent accommodations. The approximately 400 Roma families in Tyrnavos, Thessaly, lived in tents because the authorities refused to include the area in city planning. There were approximately 70 Romani camps with a total population between 100,000 and 120,000 persons. Most Romani camps have no running water, electricity, garbage disposal, or sewage treatment. The Roma of Tyrnavos, Thessaly, attempted to build their own lavatories to improve their living conditions, but local authorities pulled them down and imposed fines for violating construction codes.

Local authorities harassed and threatened to evict Roma from their camps or other dwellings, and the NGO Greek

Helsinki Monitor reported that many communities of Romani tent-dwellers were evicted in Thessaloniki in early September and in Aspropyrgos, Athens, in July.

Romani representatives reported that some local authorities have refused to register Roma as residents in their municipalities. Until registered with a municipality, no citizen can vote or exercise other civil rights such as obtaining an official marriage, commercial, or driver's license, or contributing to social security.

The Government considered the Roma a "socially excluded" or "sensitive" group, not a "minority." As a result, government policy was to encourage the integration of Roma. The Prime Minister designated a member of his staff to coordinate the efforts of all government ministries having a role in their integration, and the Ministry of Interior established an interministerial committee in March 2001 with the same aim. Nevertheless poverty, illiteracy, and prejudice continued to affect large parts of the Romani population; these problems were most severe among migrant Roma or those who lived in quasi-permanent settlements. The illiteracy rate among Roma was estimated at 80 percent, and according to an NGO, the average Roma family's income was approximately \$205 (190 euros) per month. The research also concluded that the average life expectancy of Roma was below 60 years of age.

The integration of Roma into social security systems also was quite low. It was estimated that 90 percent of Roma were not insured by the public social security systems, since they were unable to make the required contributions. Like other qualified citizens, indigent Roma were entitled to free health care; however, their access at times was hindered by the fact that their encampments were located far from public health facilities.

The Ministry of Health and Welfare continued work on projects to address the chronic problems of the Roma community. The projects included training courses for civil servants, policemen, and teachers to "increase sensitivity to the problems of the Roma," the development of teaching materials for Roma children, and the establishment of six youth centers in areas close to Roma communities.

## Section 6. Worker Rights

### a. The Right of Association

The Constitution and the law provide for the right of association, and workers exercised this right. All workers, with the exception of the military, have the right to form or join unions. Police have the right to form unions but not to strike. Approximately 26 percent of wage earners (nearly 650,000 persons) were organized in unions. Unions received most of their funding from a Ministry of Labor organization, the Workers' Hearth, which distributes mandatory contributions from employees and employers. Workers, employers, and the state were represented in equal numbers on the board of directors of the Workers' Hearth. Approximately ten public sector unions had dues withholding provisions in their contracts, in addition to receiving Workers' Hearth subsidies.

Over 4,000 unions were grouped into regional and sectoral federations and two umbrella confederations; one for civil servants (ADEDY), and another, the General Confederation of Greek Workers (GSEE), for private sector employees and employees of state enterprises. Unions were highly politicized, and there were party-affiliated factions within the labor confederations; however, neither political parties nor the government controlled day-to-day operations. There are no restrictions on who may serve as a union official.

Antiunion discrimination is prohibited. The Labor Inspectorate or a court investigates complaints of discrimination against union members or organizers. Court rulings have mandated the reinstatement of improperly fired union members.

Unions are free to join international associations and maintain a variety of international affiliations, and almost all did so.

### b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively in the private sector and in public corporations, and unions exercised these rights freely. There are no restrictions on collective bargaining for private sector employees.

Civil servants have the right to organize and bargain collectively with the Ministry of Public Administration.

The law provides for mediation procedures, with compulsory arbitration as a last resort. A National Mediation,

Reconciliation, and Arbitration Organization is used in the private sector and public corporations (the military and civil service excluded). While mediation is voluntary, failure to agree during mediation makes arbitration compulsory, as decided by the mediation organization.

Legal restrictions on strikes include a mandatory period of notice, which was 4 days for public utilities and 24 hours for the private sector. Legislation mandates a skeleton staff during strikes affecting public services, such as electricity, transportation, communications, and banking. Public utility companies, state-owned banks, the postal service, Olympic Airways, and the railroads also are required to maintain a skeleton staff during strikes. The courts have the power to declare strikes illegal, although such decisions seldom were enforced. However, unions complained that this judicial power served as a deterrent to some of their members from participating in strikes. The courts declared some strikes illegal during the year for reasons such as failure of the union to give adequate advance notice of the strike or the addition of demands by the union during the course of the strike. No striking workers were prosecuted.

Many strikes took place during the year. Although most strikes were fairly brief, they affected productivity and disrupted daily life in the center of Athens. Strikes by public sector employees, including mass transport employees, lasted between 1 and 5 days and primarily concerned securing timely pay increases and greater job security.

Three free trade zones operated according to EU regulations. The labor laws apply equally in these zones.

#### c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor. The Government may declare the "civil mobilization" of workers in the event of danger to national security, life, property, or the social and economic life of the country. The International Labor Organization (ILO) Committee of Experts has criticized this power as tantamount to forced labor. In July the Government used civil mobilization to break a seaman's strike which was posing a serious economic hardship to inhabitants of Greek islands.

The Constitution prohibits forced or bonded labor by children; however, some parents forced their children to beg for money or food. During the year, the number of street children who panhandled or peddled at city intersections on behalf of adult family members or for criminal gangs decreased. However, it was believed widely that even those who were deported managed to return eventually to the country and the streets. The Greek chapter of UNICEF estimated that 5,800 children were illegally employed in the streets of the country in jobs from windshield washing to prostitution. The head of Greek UNICEF believed they generate nearly \$3 million (2.8 million euros) in revenue yearly. The Government and NGOs agreed that the majority of beggars are either Roma or Albanian. Since 2000 many children who are beggars have disappeared from the streets. Local NGOs reported that they were driven to restaurants and busy shopping areas to beg for money.

#### d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for employment in the industrial sector is 15 years, with higher limits for certain activities. The minimum age is 12 years in family businesses, theaters, and the cinema. These age limits were enforced by occasional Labor Inspectorate spot checks and generally were observed; however, families engaged in agriculture, food service, and merchandising often had younger family members assisting them, at least part time.

The Constitution contains a blanket prohibition of forced or bonded labor by children; however, there were reports of such practices among Romani children (see Section 6.c.).

#### e. Acceptable Conditions of Work

Collective bargaining between the GSEE and the Employers' Association determines a nationwide minimum wage. The Ministry of Labor routinely ratifies this minimum wage, which has the force of law and applies to all workers. The minimum wage of \$21 (19 euros) daily and \$472 (437 euros) monthly, effective July 1, provided a decent standard of living for a worker and family. The maximum legal workweek is 40 hours in the private sector and 37½ in the public sector. The law provides for at least one 24-hour rest period per week, mandates paid vacation of one month per year, and sets limits on overtime.

Legislation provides for minimum standards of occupational health and safety. Although the GSEE characterized health and safety legislation as satisfactory, it stated that enforcement, which is the responsibility of the Labor

Inspectorate, was inadequate. The Labor Inspectorate operates under a central authority. Workers do not have the legal right to remove themselves from situations that they believe endanger their health; however, they do have the right to lodge a confidential complaint with the Labor Inspectorate. Inspectors have the right to close down machinery or a process for a period of up to five days if they see safety or health hazards that they believe represent an imminent danger to the workers.

Foreign workers are protected by law, but in practice their wages were lower, and they worked longer hours.

#### f. Trafficking in Persons

An October law criminalizes trafficking in persons. The country was both a transit point and destination for trafficked women and children, primarily for sexual exploitation. Local police corruption facilitated trafficking in the country.

In October the Government adopted a new anti-trafficking law which made trafficking a specific criminal offense, imposed harsh penalties on traffickers, and called for shelters and medical assistance for victims of trafficking. The law calls for traffickers to be punished with up to 10 years of incarceration and fines of \$10,000 to \$50,000 (9,263 to 46,313 euros). There were harsher penalties for child traffickers. The law was still being implemented at year's end.

On December 19, police arrested eight people who they alleged were involved in the trafficking of women from the former Soviet Union, in a nine-club sweep over various parts of the country. These women, according to police officials, were lured to the country under false pretenses, and forced to work in strip clubs in the southern part of Greece.

Since October there were 62 arrests of traffickers. On September 20, Attika police announced a raid on a bar in Nikaia, Piraeus, where they found ten young women from Latvia and Russia without work permits. Police discovered handcuffs, pepper spray, and electroshock devices. The raid revealed a network that was forcing women to work in the bar for 6 months in order to pay off a \$3,000 (2,778 euros) fee for smuggling them into the country. In the first week of October, police arrested four Greeks who were trafficking young women from Moldova, Serbia, and Bulgaria by promising them work in Greece as waitresses.

On March 28, law enforcement officials and the NGO community attended a seminar to discuss trafficking of women and children. The Ministry of Public Order also took initiatives for training new police officers to identify trafficked women and children. Trafficking experts conducted this training at local police academies. The Government began stiffening its border controls, in part because of European Union Schengen Treaty requirements; however, many women and children continued to be brought into the country from the Balkans and the former Soviet Union. In April 2001, an interministerial committee was formed with the objective of establishing a separate police task force on trafficking, drafting national legislation, and promoting a nationwide anti-trafficking campaign.

Trafficking in women and children for prostitution in the country increased sharply in the last few years. An academic observer estimated that approximately 40,000 women and children, most between the ages of 12 and 25, are trafficked to the country each year for prostitution. At any given time, 16,000 to 20,000 trafficked women or girls were in the country, according to unofficial estimates, although authorities estimated the number of trafficked women and children was much lower. Major countries of origin include Ukraine, Russia, Bulgaria, Albania, and Romania. Women from Asia, specifically Thailand and the Philippines, the Dominican Republic, Moldova, Kazakhstan, Serbia, and the Middle East also were trafficked to the country.

There were reports that some Albanian parents "sold" or "rented" their children to traffickers in exchange for a monthly income. There were unconfirmed reports that some foreign children were forced into panhandling. There were reports that teenage boys worked as prostitutes in Athens.

According to a Panteion University study, over 85,000 trafficked women and children have worked in the country in the past decade. Some women and children arrived as "tourists" or illegal immigrants; seeking work, they were lured into prostitution by club owners who threatened them with deportation. Some women and children were kidnaped from their homes by Greek traffickers, and smuggled into the country where they were "sold" to local procurers. There were reports that some victims of this practice were minors. Trafficked women and children often were confined to apartments, hotels, and clubs against their will, were not registered with the Government, and were forced to surrender their passports to their local "owner." Frequently, connections existed between illegal prostitution and other criminal activities. According to NGO observers, traffickers "owned" approximately 80

percent of the illegal prostitutes in Greece.

Local police corruption also played a role in facilitating trafficking into the country. NGOs reported that some police officers were on the payrolls of organized crime networks involved in trafficking. In 2001 a number of police officers were arrested in connection with trafficking offenses. Most arrests were in small towns, villages, and border areas.

In the past, foreign women illegally in the country who were apprehended by the authorities for prostitution were placed in a deportation center or deported immediately by train, plane, or on foot. Laws were passed in 2001 that increased protection for women who press charges against their traffickers by allowing them to remain in the country legally and setting aside any previous convictions.

A number of domestic NGOs worked on trafficking issues during the year. A group of NGOs created a coalition known as the "Stop Now" group which created public service announcements to raise awareness of trafficking issues.